REMARKS

Claims 8 to 11 have been rewritten as independent claims so as not to depend from a non-elected claim. Other minor amendments to claims 8 to 11 have been made merely for clarity and are not intended to change the scope of the claims in any way. No new matter has been added by the amendments to the claims. Upon entry of this amendment and response, claims 1 to 27 will be pending and claims 8 to 11 will be under examination.

Responsive to the action mailed November 26, 2001, Applicants elect the invention of Group X, claims 8-11, drawn to a method for screening a gene encoding a polypeptide that converts a ligand precursor. The election is made with traverse. Applicants respectfully request that claim 26 (Group IX) be reclassified with Group X, for at least the following reasons.

In a proper requirement for restriction, the inventions must be independent or distinct as claimed and there must be a serious searching burden on the Examiner (See M.P.E.P. § 803). In this case, the Examiner has grouped inventions IX and X together for the purpose of differentiating them from all of groups I-VIII, but has established no reasons for insisting upon restriction between groups IX and X. There is no evidence of a separate status in the art or any indication of a different field of search for groups IX and X. Moreover, the Examiner has not established that a serious burden would be involved in searching Groups IX and X simultaneously. Therefore, Applicants respectfully request that Groups IX and X be rejoined into a single group.

Attached is a marked-up version of the changes being made by the current amendment.

A check for excess claim fees is enclosed herewith. Also enclosed is a petition for a one-month extension of time, up to and including January 26, 2002, and a check for the required fee.

No other fees are believed to be due. However, if there are any charges or credits, please apply them to Deposit Account No. 06-1050, referencing the attorney docket number indicated above.

Respectfully submitted,

Date: 01/14/2002

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

8. (Amended) A method for screening a gene encoding a polypeptide that converts a ligand precursor into a ligand, the method comprising

(A) introducing a test gene into [the cell of claim 1] a cell comprising (i) a vector comprising a nucleic acid sequence encoding a nuclear receptor and (ii) a vector comprising a binding sequence to which the nuclear receptor binds and, located downstream of the binding sequence, a nucleic acid sequence encoding a reporter molecule,

(B) contacting a ligand precursor [to] with the cell into which the test gene is introduced,

(C) [detecting] evaluating the [reporter activity] activity of the reporter molecule, and

(D) isolating the test gene from the cell [which showed the] if the cell shows reporter activity.

9. (Amended) A method for determining whether or not a test gene [encoding] encodes a polypeptide that converts a ligand precursor into a ligand, the method comprising

(A) introducing a test gene into [the cell of claim 1] a cell comprising (i) a vector comprising a nucleic acid sequence encoding a nuclear receptor and (ii) a vector comprising a binding sequence to which the nuclear receptor binds and, located downstream of the binding sequence, a nucleic acid sequence encoding a reporter molecule,

(B) contacting a ligand precursor [to] with the cell into which the test gene is introduced, and

(C) [detecting] evaluating the [reporter activity] activity of the reporter molecule.

10. (Amended) A method for screening a gene encoding a polypeptide that converts an inactive form of vitamin D3 into an active form, the method comprising

(A) introducing a test gene into [the cell of claim 2] a cell comprising (i) a vector comprising a nucleic acid sequence encoding a vitamin D receptor and (ii) a vector comprising a binding sequence of the vitamin D receptor and, located downstream of the binding sequence, a nucleic acid sequence encoding a reporter molecule,

(B) contacting an inactive form of vitamin D3 [to] with the cell into which the test gene is introduced,

(C) [detecting] evaluating the [reporter activity] activity of the reporter molecule, and

(D) isolating the test gene from the cell [that shows the] if the cell shows reporter activity.

11. (Amended) A method for determining whether or not a test gene encodes a polypeptide that converts an inactive form of vitamin D3 into an active form, the method comprising

(A) introducing a test gene into [the cell of claim 2] a cell comprising (i) a vector comprising a nucleic acid sequence encoding a vitamin D receptor and (ii) a vector comprising a binding sequence to which the vitamin D receptor and, located downstream of the binding sequence, a nucleic acid sequence encoding a reporter binds molecule,

(B) contacting an inactive form of vitamin D3 with the cell into which the test gene is introduced, and

(C) [detecting] evaluating the [reporter activity] activity of the reporter molecule.